

REMARKS

The Office Action dated April 6, 2007 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1, 6, 7, 19-28, and 32-43 have been amended to more particularly point out and distinctly claim the subject matter of the invention. New claim 44 has been added. No new matter has been added.

Claims 1-44 are currently pending in the application. The Office Action indicated that claims 1-6 have been allowed. Applicants wish to thank the Examiner for the allowance of these claims. However, claims 7-44 are respectfully submitted for consideration.

The Office Action rejected claims 7-10 and 20 under 35 U.S.C. §103(a) as being unpatentable over “3GPP; Technical Specification Group Services and Systems Aspects, QoS Concept” (hereinafter 3GPP). The rejection is respectfully traversed for at least the following reasons.

Applicants submit that the 3GPP document does not constitute a valid prior art reference with respect to the present application. The present application has a priority date of May 21, 1999, which is the date of filing of the corresponding international application. Applicants respectfully submit that the cited 3GPP document was published after the priority date of the present application.

The cover of 3GPP states a publication date of May 1999. The history of the 3GPP document, as shown on page 27 thereof, lists June 1999 as the publication date of the 1.1.0 version of the document, which was cited by the Office Action. Accordingly, Applicants respectfully assert that the 3GPP document has a publication date which is later than the earliest priority date of the present application. Therefore, 3GPP does not constitute a valid prior art reference with respect to the present application. As such, Applicants request that this rejection be withdrawn.

Claims 27 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over 3GPP in view of the Applicants' Admitted Prior Art. The rejection is respectfully traversed.

As discussed above, Applicants submit that 3GPP document is not a valid prior art reference with respect to the current application. Accordingly, Applicants request that this rejection also be withdrawn.

Claims 11-19, 21-26, and 29-43 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. For the reasons outlined above, Applicants submit that claims 7-10, 20, 27, and 28 should be in condition for allowance. Accordingly, Applicants also submit that claims 11-19, 21-26, and 29-43 should be allowable in their current form.

For at least the reasons discussed above, Applicants respectfully submit that all of claims 1-44 are now in condition for allowance. Therefore, Applicants request that timely Notice of Allowance be issued in this case.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



Majid S. AlBassam
Registration No. 54,479

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Tysons Corner, Virginia 22182-2700
Telephone: 703-720-7800
Fax: 703-720-7802

MSA:jf